



# **Fiancé(e) Visa** **(K-1 Visa)**



A visa is a document authorizing someone to enter a foreign country. If you wish to bring your fiancé(e) to the United States, you'll need to obtain a visa for them from U.S. Citizenship and Immigration Services (USCIS).

## ***What's a "fiancé(e) visa"?***

It's a visa that allows the person you intend to marry to travel to the United States with you in order to get married. It's valid for six months, and once you enter the U.S. you must get married within 90 days.

## ***How do I get one for my fiancé(e)?***

### **Step One: The Petition for Alien Fiancé(e).**

The Petition is Form I-129F, Petition for Alien Fiancée. It's online at the USCIS website, along with instructions (<http://www.uscis.gov/files/form/i-129finstr.pdf>).

1. Fill out the Petition, and attach accompanying evidence. More specifics on the evidence needed can be found at the USCIS website. But you can expect to have to provide:
  - a. Documents showing that you are a U.S. citizen, e.g. a passport or birth certificate.
  - b. Documents showing that you and your fiancé have personally met within the last two years.
  - c. Statements from you and your fiancé that you plan to marry within 90 days of arriving in the U.S.
  - d. Evidence of termination of any prior marriages.
  - e. Form G-325A (biographic information) for both people.
  - f. Passport-style photographs.
  - g. And anything else they ask for!
2. File the Petition.
  - a. Petitions must be filed with the USCIS office that serves the area where the sponsor lives (they cannot be filed abroad). You can look up this information on the USCIS website.
  - b. A fee of \$340 dollars must accompany the petition. But expect to pay many other costs as well, for things like translations (everything must be translated into English), copies (you should have multiple copies of everything), and procuring the needed evidence (e.g. cost of fingerprinting or medical examination).

### **Step Two: The Visa Application.**

Once you've filed your I-129F, you should receive instruction from the National Visa Center. They'll ask you or your fiancé to fill out forms, gather supporting evidence, have a medical examination, and come in for an interview.

1. Prepare the application forms.
  - a. DS-156, Nonimmigrant Visa Application. Two copies (prepared in duplicate).
  - b. DS-156K, Nonimmigrant Fiancé(e) Visa Application. One copy.
  - c. DS-230, Application for Immigrant Visa. Part I ONLY. One copy.
3. Gather supporting evidence.
  - a. Birth certificate.
  - b. Divorce decree (or death certificate).
  - c. Police certificate (background check) from all places lived since age 16.
  - d. Medical examination (vaccinations are optional, see below)
  - e. Evidence of financial support (Form I-134, Affidavit of Support may be requested).

- f. Two passport-style photos (each two inches 50 X 50 mm square, showing full face, against a light background).
- g. Evidence of a fiancé relationship.
4. Have a medical examination (they should tell you where).
5. Pay fees.
  - a. Fee for visa application (\$340).
  - b. Fee for medical exam.
  - c. And don't forget about other costs, like translations, photocopies, traveling...
6. Attend interview.

### ***What do I do once I receive the Visa?***

First, travel to the United States! But make sure you do it within the visa's lifetime (six months).

Second, get married! Make sure you do this within 90 days of arriving in the U.S.

And then you need to file Form I-485, Application to Register Permanent Residence or Adjust Status, with the Chicago lockbox facility. Make sure you read and understand this application completely. It can be complicated and it is very expensive (\$985!).

### **USEFUL WEBSITES:**

- a. [http://travel.state.gov/visa/visa\\_1750.html](http://travel.state.gov/visa/visa_1750.html) (U.S. Department of State, Visa Information)
- b. [http://www.asktheconsul.org/IV\\_category.html#CRIR](http://www.asktheconsul.org/IV_category.html#CRIR) (General Checklists for Immigrant Visas)
- c. <http://www.uscis.gov/portal/site/uscis> (U.S. Citizenship and Immigration Services home page).
- d. <http://www.uscis.gov/files/form/i-129finstr.pdf> (instructions for Form I-129F).
- e. Helpline for military members- (877) CIS-4MIL; (877-247-4645); [militaryinfo.nsc@dhs.gov](mailto:militaryinfo.nsc@dhs.gov). This military helpline can provide advice, update paperwork, and maybe even expedite the processing of your application. We encourage you to get in touch with them.

	<b><u>Camp Casey Legal</u></b> Maude Hall Rm. 235, 730-3660	
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